

BILLING, FROM PAGE 10

past—firms are taking a more individual approach that looks at attorneys, their clients and their practices when establishing billing rates, Clay said.

"Really superior lawyers are undervalued because of their fear of pushing up rates, but clients will still pay for the top-end lawyers," Clay said. "They recognize the value of those lawyers."

Indeed, three firms reported top partner hourly billing rates of \$1,000 or more, including Foley & Lardner at \$1,035; Winston & Strawn at \$1,075; and Locke Lord Bissell & Liddell at \$1,120. That highest rate is charged by Bryan Goolsby of Locke Lord—the Dallas-based head of the firm's real estate investment trust practice. The average firmwide partner billing rates at each of those firms was much lower, however.

SOME GROWTH IN ALTERNATIVES

Alternative fee arrangements remain a growing trend, according to the survey results. Nearly half of the firms that provided a percentage of their revenue derived from alternative fee arrangements in both 2009 and 2010—49%—said that percentage increased in the past year. The highest percentages were reported by Shook, Hardy & Bacon at 30%; Yost at 30%; Stevens & Lee at 30%; and Vorys, Sater, Seymour and Pease at 27%.

A survey of 218 law firm managers by Alman Weil in May found that nearly 95% of firms offer some alternative fee arrangements, while *The*



SLOW GROWTH: Firms are still very cautious... about trying to push through rate increases, said Tom Clay of Alman Weil, above. Jackson Lewis' Patrick Vaccaro said clients want rate freezes or multiyear rates

American Lawyer's law firm leaders survey showed that 93% of firms have used flat-fee arrangements. In a separate survey of general counsel conducted by *The American Lawyer* and the Association of Corporate Counsel this fall, 53% of GCs said they had used flat-fee billing for an entire matter.

Not everyone believes that the move toward alternative billing rates lives up to the hype, however. Morrison said discussion of those arrangements far outpaces actual agreements.

"Everyone says, 'There ought to be more ways to charge fees beyond the

billable hour, but it hasn't happened,'" Morrison said. "Most law departments are three people or less. They don't have the time or ability to craft alternative fee arrangements. Seventy percent of law departments can't do it, and don't care about it."

Indeed, the *American Lawyer* survey found that alternative fee arrangements account, on average, for 16% of firm revenue.

But those arrangements are increasing—by what clients want, Vaccaro said. Many of the requests for proposals Jackson Lewis receives from potential clients seek

fee certainty and efficiency from outside counsel. The employment law firm has responded with flat rates, litigation caps and other alternative arrangements, but predicting costs and crafting profitable agreements is still a work in progress for Jackson Lewis' top-level managers who put together those deals.

"We can pretty well determine what the cost is going to be and build enough protections, but there is a considerable risk involved and we're willing to take that risk," Vaccaro said. "If you want to stay in business, you ought to be doing what the client wants."

Karen Sloan can be contacted at kslan@aln.com.



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BILLING SURVEY

A nationwide sampling of law firm billing rates

The National Law Journal asked the respondents to its 2010 survey of the nation's 250 largest law firms to provide a range of hourly billing rates. Firms that supplied the information are listed in alphabetical order. Non-NLJ 250 firms appear separately.

FIRM NAME	PRINCIPAL OR LARGEST OFFICE	NUMBER OF ATTORNEYS	FIRMWIDE		PARTNER			ASSOCIATE		
			AVERAGE	MEDIUM	HIGH	LOW	AVERAGE	MEDIUM	HIGH	LOW
Adams and Reese	New Orleans	265	\$265	\$270	\$550	\$250	\$344	\$340	\$290	\$195
Alston & Bird	Atlanta	786	\$515	\$505	\$865	\$450	\$627	\$615	\$590	\$270
Archer & Greiner	Bridgewater, N.J.	176			\$560	\$305			\$340	\$175
Arent Fox	Washington	329			\$765	\$400			\$475	\$240
Armstrong Teasdale	St. Louis	233			\$475	\$300			\$325	\$200
Baker, Donelson, Bearman, Caldwell & Berkowitz	Memphis, Tenn.	552	\$312	\$305	\$595	\$255	\$357	\$348	\$320	\$165
Barnes & Thornburg	Indianapolis	494	\$367	\$375	\$613	\$298	\$418	\$415	\$355	\$225
Benesch, Friedlander, Coplan & Aronoff	Cleveland	161	\$315		\$575	\$350	\$335		\$360	\$195
Bentz Best & Krieger	Riverside, Calif.	183			\$550	\$310			\$395	\$225
Blank Rome	Philadelphia	472	\$510	\$495	\$855	\$440	\$615	\$625	\$550	\$250
Bond, Schoeneck & King	Syracuse, N.Y.	199	\$260	\$255	\$475	\$220	\$309	\$330	\$280	\$160
Briggs and Morgan	Minneapolis	190	\$373	\$390	\$600	\$290	\$437	\$440	\$315	\$210
Broad and Cassel	Orlando, Fla.	160	\$307	\$295	\$475	\$260	\$372	\$375	\$350	\$175
Brownstein Hyatt Farber Schreck	Denver	248	\$391	\$380	\$810	\$295	\$463	\$448	\$360	\$200
Bryan Cave	St. Louis	928	\$464	\$450	\$790	\$370	\$553	\$540	\$550	\$185
Buchalter Nemer	Los Angeles	164	\$415	\$415	\$625	\$270	\$490	\$495	\$450	\$195
Buchanan Ingersoll & Rooney	Pittsburgh	423			\$1900	\$310			\$465	\$210
Burr & Forman	Birmingham, Ala.	256	\$328	\$330	\$500	\$210	\$361	\$365	\$355	\$200
Butzel Long	Detroit	181			\$750	\$300			\$375	\$200
Carlton Fields	Tampa, Fla.	275	\$388	\$390	\$775	\$325	\$465	\$455	\$375	\$195
Chadbourne & Parke	New York	444	\$456	\$450	\$995	\$390	\$769	\$785	\$625	\$110
Cozen O'Connor	Philadelphia	521	\$422	\$390	\$880	\$310	\$497	\$475	\$385	\$225
Curtis, Mallet-Prevost, Colt & Melo	New York	252	\$489	\$480	\$785	\$675	\$659	\$675	\$575	\$290
Davis Wright Tremaine	Seattle	491	\$355	\$365	\$795	\$320	\$486	\$480	\$435	\$210
Dickinson Wright	Detroit	230			\$575	\$355			\$275	\$195
Dickstein Shapiro	Washington	336	\$546	\$530	\$950	\$525	\$656	\$650	\$530	\$265
Dinsmore & Shohl	Cincinnati	402	\$302	\$290	\$690	\$220	\$360	\$355	\$300	\$175
Dorscy & Whitney	Minneapolis	578	\$410	\$395	\$795	\$440	\$515	\$515	\$290	\$180
Duane Morris	Philadelphia	629	\$483	\$483	\$850	\$240	\$550	\$545	\$480	\$135
Dykema Gossett	Detroit	333	\$445	\$450	\$635	\$360	\$495	\$515	\$450	\$225
Eckert Seamans Cherin & Mellott	Pittsburgh	329			\$625	\$250			\$320	\$150
Edwards Angell Palmer & Dodge	Boston	505	\$451	\$450	\$780	\$345	\$571	\$575	\$610	\$200
Epstein Becker & Green	New York	302	\$429	\$425	\$850	\$350	\$520	\$500	\$450	\$180
Fisher & Phillips	Atlanta	238			\$505	\$340			\$360	\$220
Fitzpatrick, Cella, Harper & Scinto	New York	175			\$730	\$460			\$440	\$275
Foley & Lardner	Milwaukee	895	\$554	\$570	\$1,035		\$654	\$640		\$255
Ford & Harrison	Atlanta	176			\$620	\$375			\$390	\$250
Fox Rothschild	Philadelphia	472	\$407	\$415	\$690	\$315	\$473	\$470	\$475	\$235
Frost Brown Todd	Cincinnati	404	\$279	\$280	\$515	\$200	\$326	\$325	\$250	\$150
Gardere Wynne Sewell	Dallas	270	\$445	\$450	\$815	\$380	\$531	\$525	\$445	\$195
Gibbons	Newark, N.J.	223	\$404	\$410	\$790	\$380	\$479	\$475	\$450	\$250
Godfrey & Kahn	Milwaukee	172			\$495	\$325			\$340	\$180
Gray Robinson	Orlando, Fla.	250			\$750	\$225			\$315	\$150
Greenberg Traurig	New York	1,763	\$453	\$480	\$875	\$355	\$550	\$540	\$610	\$200
Harris Beach	Rochester, N.Y.	176			\$500	\$275			\$250	\$140
Hiscock & Barclay	Syracuse, N.Y.	175	\$311	\$275	\$650	\$195	\$348	\$305	\$440	\$150
									\$234	\$195

SEE SAMPLING, PAGE 18

SAMPLING, FROM PAGE 12

FIRM NAME	PRINCIPAL OR LARGEST OFFICE	NUMBER OF ATTORNEYS	FIRMWIDE			PARTNER			ASSOCIATE		
			AVERAGE	MEDIAN	HIGH	LOW	AVERAGE	MEDIAN	HIGH	LOW	AVERAGE
Hodgeson Russ	Buffalo, N.Y.	197	\$328	\$320	\$665	\$230	\$374	\$370	\$410	\$175	\$238
Holland & Knight	Washington	942	\$418	\$425	\$850	\$300	\$495	\$495	\$480	\$185	\$288
Holme Roberts & Owen	Denver	192	\$355	\$345	\$635	\$285	\$415	\$410	\$530	\$170	\$295
Husch Blackwell	St. Louis	554	\$329	\$331	\$804	\$230	\$357	\$375	\$415	\$171	\$220
Jackson Kelly	Charleston, W.Va.	161			\$495	\$245			\$275	\$155	
Jackson Lewis	White Plains, N.Y.	661	\$364	\$309	\$715	\$260	\$428	\$430	\$440	\$150	\$282
Jones, Walker, Waechter, Poitevent, Carrère & Denégre	New Orleans	302			\$620	\$195			\$275	\$140	
Kelley Drye & Warren	New York	325			\$900	\$465			\$565	\$275	
Kilpatrick Stockton	Atlanta	423	\$475	\$425	\$730	\$375	\$527	\$520	\$465	\$225	\$320
Knubbe, Martens, Olson & Bear	Irvine, Calif.	266	\$432	\$415	\$710	\$385	\$511	\$485	\$450	\$285	\$332
Lane Powell	Seattle	175	\$349	\$380	\$600	\$310	\$431	\$430	\$350	\$230	\$278
Lathrop & Gage	Kansas City, Mo.	295			\$490	\$255			\$265	\$180	
Lindquist & Vennum	Minneapolis	184	\$330	\$350			\$415	\$410			\$235
Littler Mendelson	San Francisco	764	\$372	\$355	\$650	\$290	\$445	\$435	\$480	\$210	\$285
Locke Lord Bissell & Liddell	Dallas	642	\$486	\$515	\$1,120	\$400	\$599	\$600	\$525	\$215	\$320
Loeb & Loebs	New York	380			\$975	\$475			\$575	\$275	
Lowenstein Sandler	Roseland, N.J.	238			\$825	\$440			\$575	\$235	
Manatt, Phelps & Phillips	Los Angeles	320	\$568	\$590	\$850	\$525	\$651	\$650	\$525	\$200	\$405
Marshall, Dennehey, Warner, Coleman & Goggin	Philadelphia	412			\$410	\$145			\$320	\$130	
Maynard, Cooper & Gale	Birmingham, Ala.	212			\$600	\$225			\$285	\$235	
McCarter & English	Newark, N.J.	382	\$355	\$400	\$825	\$360	\$498	\$485	\$405	\$215	\$315
McElroy, Deutsch, Mulvaney & Carpenter	Morristown, N.J.	269	\$210	\$225	\$550	\$295	\$280	\$260	\$275	\$150	\$190
McGuireWoods	Richmond, Va.	872	\$455	\$450	\$830	\$325	\$543	\$535	\$600	\$220	\$355
McKenna Long & Aldridge	Atlanta	429	\$455	\$410	\$775	\$375	\$540	\$525	\$490	\$220	\$355
Michael Best & Friedrich	Milwaukee	214	\$346	\$345	\$650	\$235	\$400	\$390	\$320	\$190	\$230
Miles & Stockbridge	Baltimore	223			\$695	\$325			\$370	\$220	
Miller & Martin	Chattanooga, Tenn.	182	\$328	\$335	\$610	\$235	\$361	\$365	\$275	\$180	\$218
Moore & Van Allen	Charlotte, N.C.	282	\$364	\$350	\$785	\$265	\$441	\$425	\$350	\$180	\$257
Nelson Mullins Riley & Scarborough	Columbia, S.C.	400	\$347	\$340	\$850	\$245	\$399	\$385	\$335	\$185	\$248
Nexsen Pruet	Columbia, S.C.	178			\$525	\$230			\$250	\$160	
Nixon Peabody	New York	682	\$429	\$430	\$905	\$375	\$613	\$625	\$580	\$195	\$388
Ogletree, Deakins, Nash, Smoak & Stewart	Greenville, S.C.	485	\$351		\$575	\$300	\$389		\$390	\$195	\$285
Patton Boggs	Washington	525	\$482	\$485	\$990	\$355	\$645	\$625	\$550	\$215	\$399
Pepper Hamilton	Philadelphia	458	\$326		\$825	\$420	\$547		\$465	\$230	\$329
Perkins Coie	Seattle	683	\$447		\$825	\$275	\$534	\$530	\$570	\$200	\$354
Phelps Dunbar	New Orleans	281	\$226	\$215	\$385	\$180	\$272	\$265	\$240	\$145	\$183
Phillips Lytle	Buffalo, N.Y.	177	\$255	\$260	\$535	\$260	\$352	\$350	\$450	\$150	\$283
Polsinelli Shughart	Kansas City, Mo.	500			\$600	\$250			\$325	\$185	
Quarles & Brady	Milwaukee	419	\$364	\$360	\$660	\$290	\$438	\$435	\$400	\$210	\$260
Roetzel & Andress	Akron, Ohio	25	\$317	\$325	\$525	\$225	\$357	\$360	\$325	\$165	\$243
Rulon & Tucker	Costa Mesa, Calif.	133			\$650	\$355			\$450	\$225	
Saul Ewing	Philadelphia	719	\$412	\$425	\$800	\$320	\$491	\$478	\$475	\$225	\$310
Schulte Roth & Zabel	New York	439			\$895	\$735			\$690	\$275	
Seyfarth Shaw	Chicago	704	\$377	\$375	\$770	\$335	\$505	\$503	\$535	\$185	\$325
Sheppard, Mullin, Richter & Hampton	Los Angeles	464			\$820	\$495			\$670	\$270	
Shumaker, Loop & Kendrick	Toledo, Ohio	2,0	\$331	\$350	\$540	\$250	\$366	\$365	\$315	\$185	\$246
Smith, Gambrell & Russell	Atlanta	175			\$740	\$325			\$440	\$195	
Snell & Wilmer	Phoenix	396	\$338	\$325	\$795	\$315	\$486	\$475	\$550	\$175	\$282
Steel Rivers	Portland, Ore.	368	\$381	\$395	\$600	\$215	\$441	\$443	\$390	\$190	\$270
Strasburger & Price	Dallas	181	\$336	\$351	\$617	\$250	\$372	\$393	\$306	\$194	\$243
Taft, Stettinius & Hollister	Cincinnati	286	\$315	\$315	\$600	\$220	\$358	\$350	\$365	\$165	\$227

SEE SAMPLING, PAGE 14